

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KWAIN THOMPSON,

Plaintiff,

-against-

CITY OF NEW YORK, CORRECTION OFFICER
KATRESE BRUMFIELD, CORRECTION OFFICER
JESSICA SIMMONS, CAPTAIN DEBBIE PALMER-
CAMPBELL, CORRECTION OFFICER TIFFANY
FRANCIS, CORRECTION OFFICE CHANDRA DAVIS,
and CAPTAIN TONY MONTAGUE,

Defendants.
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**NOTICE OF MOTION FOR
SUMMARY JUDGMENT
PURSUANT TO RULE 56 OF
THE FEDERAL RULES OF
CIVIL PROCEDURE**

22 Civ. 01458 (JPO) (KHP)

PLEASE TAKE NOTICE that, upon the Declaration of Gregory Accarino, dated December 5, 2023, the Exhibits annexed thereto, the Local Rule 56.1 Statement of Material Facts in support of Defendants' Motion for Summary Judgment, the accompanying Memorandum of Law in Support of Defendants' Motion for Summary Judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure, dated December 5, 2023, Notice to *Pro Se* Litigants pursuant to Local Rule 56.2, and all prior papers and proceedings had herein, defendants the City of New York, Katrese Brumfield, Jessica Simmons, Debbie Palmer-Campbell, Tiffany Francis, Chandra Davis, and Tony Montague will move this Court, before the Honorable J. Paul Oetkin, at the United States District Court of the Southern District of New York, located at 40 Foley Square, New York, New York 10007, on a date and time to be determined by the Court, for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure on the grounds that there are no material issues of fact in dispute that warrant a trial and defendants are entitled to judgment as a matter of law, and for such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Order dated November 14, 2023, Plaintiff's opposition is to be served on or before February 6, 2024, and Defendants' reply, if any, is to be served and filed on or before February 20, 2024.

Dated: New York, New York
December 5, 2023

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel for the City of New York
Attorney for Defendants
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New York, NY 10007
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By: /s/ Gregory Accarino
Gregory Accarino
Senior Counsel

CC: **By U.S. Mail:**
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